

**Law Office of James B. Day**

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St. Louis, MO 63017

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Invoice submitted to:

Stuart J. Radloff, Trustee  
13321 N. Outer Forty, Ste. 600  
St. Louis, MO 63017

April 16, 2015

In Reference To: **Chapter 7 Trustee Representation**  
**Leanna Peoples, Case #11-44482**

Invoice #2592

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
1/13/2012 JBD	Conference with SJR, re: Litigation against City of Maplewood and Debtor's motion to reopen case.	0.20 200.00/hr	40.00
1/17/2012 JBD	Investigate status of bankruptcy case and state court litigation.	0.40 200.00/hr	80.00
JBD	Phone call to Philip Mackey, re: Pending \$10k settlement offer and status of case. Request copy of petition.	0.20 200.00/hr	40.00
JBD	Letter to John Toma, re: Review of litigation, value of claim, and explain possible appointment of special counsel to represent Bkrcy Estate.	0.20 200.00/hr	40.00
JBD	Letter to Ms. Peoples, re: Investigation of State Court claims.	0.10 200.00/hr	20.00
JBD	Receipt and review email from Philip Mackey, re: First Amended Petition.	0.30 200.00/hr	60.00
2/6/2012 JBD	Telephone call from John Toma, re: Claim against Maplewood and status of litigation.	0.20 200.00/hr	40.00
2/11/2012 JBD	Email from John Toma, re: Fee Agreement signed by Ms. Peoples.	0.20 200.00/hr	40.00
JBD	Email to SJR, re: Fee agreement from attorney handling race/ gender discrimination lawsuit.	0.10 200.00/hr	20.00
4/4/2012 JBD	Phone call to John Toma, re: Request update on discrimination lawsuit.	0.10 200.00/hr	20.00

Stuart J. Radloff, Trustee

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
4/27/2012	JBD Telephone call from John Toma, re: Case management conference and litigation in companion case.	0.20 200.00/hr	40.00
	JBD Email from Sarah Mullen, re: City of Maplewood's pending \$10k settlement offer.	0.20 200.00/hr	40.00
5/7/2012	JBD Phone call to John Toma, re: Defense verdict in related claim against Maplewood and discuss strategy for Ms. People's claim.	0.20 200.00/hr	40.00
5/31/2012	JBD Telephone call from John Toma, re: Representation in discrimination lawsuit.	0.30 200.00/hr	60.00
6/1/2012	JBD Email to Philip Mackey, re: Request information to evaluate \$10k offer.	0.20 200.00/hr	40.00
	JBD Conference with SJR, re: Discrimination litigation status.	0.20 200.00/hr	40.00
6/7/2012	JBD Telephone call from John Toma, re: Discuss representation and status conference.	0.20 200.00/hr	40.00
7/11/2012	JBD Attend Court hearing regarding Status Conference and Motion to remove case from dismissal docket.	1.00 200.00/hr	200.00
	JBD Conference with SJR, re: Status conference and discussions with counsel involved in case.	0.20 200.00/hr	40.00
8/7/2012	JBD Review Ms. People's deposition transcript.	2.50 200.00/hr	500.00
8/8/2012	JBD Further review of Leana People's deposition transcript.	0.80 200.00/hr	160.00
	JBD Phone call to Phil Mackey, re: Case mgmt hearing. (Left message)	0.10 200.00/hr	20.00
	JBD Email from John Toma, re: Remove case from dismissal docket.	0.20 200.00/hr	40.00
	JBD Conference with SJR, re: Settlement negotiation authority.	0.20 200.00/hr	40.00
	JBD Email to John Toma, re: Expenses incurred during case.	0.10 200.00/hr	20.00
8/9/2012	JBD Attend Court hearing regarding Case status conference. Settlement negotiations.	1.50 200.00/hr	300.00
8/10/2012	JBD Email to John Toma, re: Expenses and settlement negotiation figures.	0.20 200.00/hr	40.00

Stuart J. Radloff, Trustee

Page 3

		<u>Hrs/Rate</u>	<u>Amount</u>
8/17/2012	JBD Draft email to Phil Mackey, re: \$25k counteroffer.	0.20 200.00/hr	40.00
	JBD Conference with SJR, re: Counteroffer to settle claims with City of Maplewood.	0.20 200.00/hr	40.00
8/18/2012	JBD Revise and edit email to Phil Mackey, re: Trustee's \$25k counteroffer to settle litigation.	0.20 200.00/hr	40.00
8/27/2012	JBD Email to Phillip Mackey, re: Timeline required to notice any settlement with creditors.	0.20 200.00/hr	40.00
8/31/2012	JBD Email from Phil Mackey, re: Agreement to settle claim for \$20k.	0.20 200.00/hr	40.00
9/4/2012	JBD Prepare Motion to approve Compromise of claim.	1.20 200.00/hr	240.00
	JBD Conference with SJR, re: Motion to compromise claim.	0.20 200.00/hr	40.00
9/5/2012	JBD Mail Motion to Compromise to creditors.	0.50 75.00/hr	37.50
	JBD Revise and file Motion to Compromise Claim.	0.30 200.00/hr	60.00
9/10/2012	JBD Conference with SJR, re: Provisions in Settlement Agreement.	0.20 200.00/hr	40.00
	JBD Prepare Settlement Agreement.	0.50 200.00/hr	100.00
	JBD Email to Phil Mackay, re: Proposed Settlement Agreement.	0.20 200.00/hr	40.00
9/17/2012	JBD Telephone call from John Toma, re: Proposed settlement, expenses, and case mgmt hearing.	0.20 200.00/hr	40.00
9/21/2012	JBD Receipt and review proposed changes to Settlement Agreement to include provisions for Ms. Peoples.	0.20 200.00/hr	40.00
	JBD Phone call to Sarah Mullen, re: Additional provisions to release.	0.20 200.00/hr	40.00
	JBD Attend Court hearing regarding Case Mgmt Hearing in Clayton. Advise Court timeline to obtain court approval of proposed settlement. Continued to 11-2-12.	0.80 200.00/hr	160.00

Stuart J. Radloff, Trustee

Page 4

			<u>Hrs/Rate</u>	<u>Amount</u>
9/21/2012	JBD	Email to John Toma, re: Motion to Compromise, Case Mgmt Order, and proposed Settlement Agreement.	0.20 200.00/hr	40.00
	JBD	Conference with SJR, re: Status of case.	0.20 200.00/hr	40.00
10/1/2012	JBD	Telephone call from John Toma, re: Negotiations with Debtor, hearing on Motion to Compromise, and fees.	0.20 200.00/hr	40.00
	JBD	Prepare certification of no response and proposed Order regarding Trustee's Motion to Compromise. Email to Court.	0.30 200.00/hr	60.00
	JBD	Email to Phil Mackey, re: Negotiations regarding provisions in Settlement Agreement.	0.20 200.00/hr	40.00
10/15/2012	JBD	Receipt and review Debtors' motion to set aside settlement.	0.30 200.00/hr	60.00
10/18/2012	JBD	Legal Research re: Debtor standing to objection to compromise of claim.	1.00 200.00/hr	200.00
10/19/2012	JBD	Prepare Response to Debtor's Motion to Set Aside Order.	0.50 200.00/hr	100.00
10/22/2012	JBD	Legal Research re: Standard for pro se debtors and standing to oppose motions.	0.70 200.00/hr	140.00
	JBD	Revise and edit Trustee's response to debtor's motions. Point out no change of address filed in case.	1.20 200.00/hr	240.00
10/30/2012	JBD	Conference with SJR, re: Response to Debtor's motions.	0.20 200.00/hr	40.00
	JBD	Revise and edit Response to clarify timing of change of address filed by Debtor. File with court.	0.40 200.00/hr	80.00
	JBD	Letter to Debtor, John Toma, and Philip Mackey, re: Trustee's response to Debtor's various motions.	0.30 200.00/hr	60.00
	JBD	Email to Philip Mackay, re: Bkrcy filings and 11/2/12 case mgmt conference.	0.20 200.00/hr	40.00
11/1/2012	JBD	Legal Research re: Trustee interest in litigation claims and standing.	1.50 200.00/hr	300.00
11/2/2012	JBD	Attend Court hearing regarding Case Mgmt Conference. All matters continued to 11/19/12.	1.00 200.00/hr	200.00
	JBD	Letter and email to John Toma, re: Case Mgmt Order and all pleadings filed in State Court on behalf of Trustee.	0.20 200.00/hr	40.00

Stuart J. Radloff, Trustee

Page 5

		<u>Hrs/Rate</u>	<u>Amount</u>
11/2/2012	JBD Prepare Entry of Appearance, Motion to substitute party and Motion to strike Debtor's pleadings in State Court action.	2.50 200.00/hr	500.00
11/14/2012	JBD Email to Phil Mackey, re: Revised settlement agreement.	0.30 200.00/hr	60.00
11/15/2012	JBD Email from Phil Mackey, re: Remaining issues in settlement agreement.	0.20 200.00/hr	40.00
11/16/2012	JBD Conference with SJR, re: Settlement agreement.	0.20 200.00/hr	40.00
	JBD Phone call to Phillip Mackey, re: Negotiations to resolve issues in settlement agreement. Discuss case mgmt conference.	0.20 200.00/hr	40.00
	JBD Final revisions to Settlement Agreement.	0.20 200.00/hr	40.00
	JBD Conference with SJR, re: Execute Settlement Agreement.	0.20 200.00/hr	40.00
11/19/2012	JBD Attend Court hearing regarding Case Mgmt Conference. Both Trustee's motion for substitute counsel and motion to strike Ms. People's motion to set aside were granted. Matter set on court's 12/5/12 dismissal docket.	1.00 200.00/hr	200.00
	JBD Email to John Toma, re: Order from Case Mgmt hearing and Bkrcy Order denying Mtn to set aside settlement.	0.20 200.00/hr	40.00
	JBD Email to Phil Mackey, re: Minor change to settlement agreement.	0.20 200.00/hr	40.00
	JBD Receipt and review Notice of Appeal. Email copy to SJR.	0.20 200.00/hr	40.00
	JBD Multiple emails with Phil Mackey, re: Notice of Appeal.	0.20 200.00/hr	40.00
12/3/2012	JBD Conference with SJR, re: Appeal and stay of order authorizing settlement.	0.20 200.00/hr	40.00
	JBD Phone call to Phil Mackey, re: Issues with appeal and finalizing settlement.	0.20 200.00/hr	40.00
	JBD Legal Research re: Stays pending appeals.	0.60 200.00/hr	120.00
	JBD Conference with SJR, re: Stay pending appeal and delays in finalizing settlement.	0.20 200.00/hr	40.00

Stuart J. Radloff, Trustee

Page 6

		<u>Hrs/Rate</u>	<u>Amount</u>
12/3/2012	JBD Phone call to Division 13 clerk, re: Request to reset case on subsequent dismissal docket due to appeal.	0.20 200.00/hr	40.00
12/4/2012	JBD Letter sent by fax to Roger Lewis, re: Information regarding case and claims bar date.	0.20 200.00/hr	40.00
	JBD Receipt and review Debtor's motion to remove case from dismissal docket.	0.10 200.00/hr	20.00
	JBD Phone call to Division 13 Clerk, re: Confirm matter removed from dismissal docket.	0.20 200.00/hr	40.00
	JBD Telephone call from Phillip Mackey, re: No appearance necessary and case removed from dismissal docket.	0.20 200.00/hr	40.00
12/21/2012	JBD Receipt and review Order extending time for Ms. Peoples to file brief.	0.20 200.00/hr	40.00
	JBD Email to SJR and Phil Mackey, re: Appeal deadlines.	0.20 200.00/hr	40.00
2/22/2013	JBD Confirm status of BAP appeal. Called 8th Circuit and confirmed no brief filed and deadline was 2/19/13.	0.20 200.00/hr	40.00
	JBD Email to SJR, re: Status of BAP appeal.	0.20 200.00/hr	40.00
2/25/2013	JBD Receipt and review Show Cause Order. Debtor's brief not filed.	0.10 200.00/hr	20.00
3/8/2013	JBD Receipt and review various Orders and Motions regarding Appellant/Debtor filing brief late and revised briefing schedule.	0.30 200.00/hr	60.00
	JBD Review Appellant's brief filed by Debtor.	0.60 200.00/hr	120.00
	JBD Conference with SJR, re: Brief and status of appeal.	0.20 200.00/hr	40.00
3/15/2013	JBD Prepare and file Motion for Extension of Time to file brief.	0.30 200.00/hr	60.00
3/19/2013	JBD Legal Research, re: Cases cited in Debtor's brief.	0.80 200.00/hr	160.00
3/23/2013	JBD Preparation of Appellee brief, statement of facts.	1.50 200.00/hr	300.00
3/26/2013	JBD Prepare arguments in brief.	1.80 200.00/hr	360.00

Stuart J. Radloff, Trustee

Page 7

		<u>Hrs/Rate</u>	<u>Amount</u>
3/28/2013	JBD Legal research regarding standing and standard for Court to review proposed settlements.	0.80 200.00/hr	160.00
3/29/2013	JBD Prepare standing arguments.	2.00 200.00/hr	400.00
4/1/2013	JBD Prepare arguments in brief regarding abuse of discretion and potential value of claim.	1.50 200.00/hr	300.00
4/4/2013	JBD Revise and edit brief. Reference documents in appendices. File with BAP.	5.00 200.00/hr	1,000.00
	JBD Letter to John Toma, re: Appellee brief and appendix.	0.20 200.00/hr	40.00
	JBD Prepare and file Certificate of Service regarding mailing copy of brief to John Toma.	0.20 200.00/hr	40.00
4/5/2013	JBD Organize file materials.	0.50 200.00/hr	100.00
4/16/2013	JBD Conference with SJR, re: Notice of oral arguments.	0.20 200.00/hr	40.00
4/18/2013	JBD Receipt and review Order granting extension of time for Toma to file brief.	0.10 200.00/hr	20.00
4/24/2013	JBD Receipt and review Reply Brief filed by Debtor.	0.30 200.00/hr	60.00
5/3/2013	JBD Prepare and file Oral Argument Response Form.	0.20 200.00/hr	40.00
5/10/2013	JBD Conference with SJR, re: BAP oral arguments.	0.30 200.00/hr	60.00
5/13/2013	JBD Preparation for Oral arguments.	4.00 200.00/hr	800.00
5/14/2013	JBD Preparation for oral arguments.	1.50 200.00/hr	300.00
	JBD Attend Court hearing regarding BAP Oral Arguments.	1.50 200.00/hr	300.00
	JBD Conference with SJR, re: Summary of BAP Oral arguments.	0.30 200.00/hr	60.00
5/23/2013	JBD Multiple emails with Phil Mackey, re: Status of appeal and oral argument.	0.20 200.00/hr	40.00

Stuart J. Radloff, Trustee

Page 8

		<u>Hrs/Rate</u>	<u>Amount</u>
7/2/2013	JBD Receipt and review opinion issued by the BAP affirming J. States order.	0.20 200.00/hr	40.00
	JBD Email and telephone call to Phil Mackey, re: BAP decision and dismissal docket setting in St. Louis County.	0.20 200.00/hr	40.00
7/29/2013	JBD Receipt and review Notice of Appeal to 8th Circuit. Confirm filed timely.	0.20 200.00/hr	40.00
	JBD Email to SJR, re: Notice of appeal to 8th Circuit.	0.20 200.00/hr	40.00
	JBD Telephone call from Phillip Mackay, re: Notice of Appeal to 8th Circuit.	0.20 200.00/hr	40.00
	JBD Telephone call from Phil Mackay, re: Appeal to 8th Circuit, disbursements to creditors, and delay in state court to finalize settlement.	0.30 200.00/hr	60.00
9/6/2013	JBD Receipt and review Motion for Extension of time filed by John Toma.	0.20 200.00/hr	40.00
9/23/2013	JBD Receipt and review Debtor's second motion for extension of time to file brief and Order setting deadline to file on 10/8/13.	0.20 200.00/hr	40.00
	JBD Conference with SJR, re: Possible revocation of discharge.	0.20 200.00/hr	40.00
11/5/2013	JBD Phone call to Phil Mackey, re: State Court dismissal docket.	0.10 200.00/hr	20.00
	JBD Prepare and file Motion to Remove case from dismissal docket. Fax to Court and opposing counsel.	0.30 200.00/hr	60.00
	JBD Email to John Toma, re: Motion to Remove case from dismissal docket.	0.10 200.00/hr	20.00
11/11/2013	JBD Review Debtor's 8th Circuit brief.	0.80 200.00/hr	160.00
	JBD Review procedures and requirements for 8th Circuit brief.	0.40 200.00/hr	80.00
	JBD Prepare brief for Appellee.	3.00 200.00/hr	600.00
11/12/2013	JBD Phone call to 8th Circuit Court of Appeals, re: Requirements to file brief.	0.20 200.00/hr	40.00
	JBD Revise and edit brief.	0.60 200.00/hr	120.00



Stuart J. Radloff, Trustee

Page 9

		<u>Hrs/Rate</u>	<u>Amount</u>
11/13/2013	JBD Prepare Appendix with documents.	0.50 200.00/hr	100.00
	JBD Final revisions to brief.	0.80 200.00/hr	160.00
	JBD Conference with SJR, re: Appeal to 8th Circuit.	0.20 200.00/hr	40.00
11/15/2013	JBD Revise appellee brief to comply with 8th Circuit order. Resubmit with court.	0.40 200.00/hr	80.00
11/20/2013	JBD Letter to John Toma, re: Appellee brief.	0.10 200.00/hr	20.00
11/22/2013	JBD Hand deliver appellee brief to 8th Circuit Court of Appeals.	0.50 200.00/hr	100.00
2/4/2014	JBD Prepare and file Motion to Remove case from Dismissal docket. Fax and email to Phil Mackey and John Toma.	0.40 200.00/hr	80.00
	JBD Email to SJR, re: Status of case and pleadings to remove case from State Court dismissal docket.	0.20 200.00/hr	40.00
5/5/2014	JBD Prepare and file Trustee's Motion to take case off dismissal docket. Fax to John Toma and Phil Mackey.	0.20 200.00/hr	40.00
5/8/2014	JBD Email to SJR, re: 8th Circuit notice that appeal will be decided without oral argument.	0.10 200.00/hr	20.00
8/20/2014	JBD Receipt and review 8th Circuit Opinion affirming lower courts.	0.20 200.00/hr	40.00
	JBD Email to SJR, re: 8th Circuit opinion.	0.10 200.00/hr	20.00
8/25/2014	JBD Email to Phil Mackey, re: 8th Circuit decision and status conference.	0.20 200.00/hr	40.00
	JBD Phone call to Phil Mackey, re: Issues to finalize settlement and case management conference.	0.20 200.00/hr	40.00
8/27/2014	JBD Prepare and file Motion to remove case from dismissal docket. Attach copy of 8th Circuit opinion. Fax to Clerk and opposing counsel.	0.50 200.00/hr	100.00
	JBD Conference with SJR, re: Status of case.	0.10 200.00/hr	20.00
10/13/2014	JBD Phone call to Sarah Mullen, re: Negotiations with City of Maplewood.	0.10 200.00/hr	20.00

Stuart J. Radloff, Trustee

Page 10

		<u>Hrs/Rate</u>	<u>Amount</u>
10/13/2014	JBD Email to Sarah Mullen, re: Provision in proposed settlement between City of Maplewood and the Trustee.	0.20 200.00/hr	40.00
10/14/2014	JBD Email from Sarah Mullin, re: Coordination to finalize settlement.	0.20 200.00/hr	40.00
10/16/2014	JBD Email to Philip Mackey, re: TIN for Bankruptcy Estate.	0.10 200.00/hr	20.00
10/23/2014	JBD Phone call to Phillip Mackay, re: Negotiations to finalize settlement.	0.20 200.00/hr	40.00
11/3/2014	JBD Review John Toma's contingency fee agreement.	0.20 200.00/hr	40.00
	JBD Email to Sarah Mullin, re: Verify whether notice of attorney lien asserted on the City of Maplewood.	0.20 200.00/hr	40.00
11/4/2014	JBD Prepare and file Motion to remove case from dismissal docket. Fax copy to Phil Mackay and John Toma.	0.20 200.00/hr	40.00
	JBD Email to John Toma, re: Request information to determine whether contingency attorney fee lien served on the City of Maplewood.	0.20 200.00/hr	40.00
11/10/2014	JBD Receipt and review letter from John Toma, re: Attorney lien. Investigate claim of lien and timeline of State Court litigation.	0.50 200.00/hr	100.00
	JBD Letter to John Toma, re: Claim against settlement and last demand from City of Maplewood.	0.20 200.00/hr	40.00
11/11/2014	JBD Letter to John Toma, re: Summary and negotiations to resolve attorney's fees arising out of contingency fee agreement.	0.30 200.00/hr	60.00
11/14/2014	JBD Revise and edit correspondence to John Toma, re: Attorney lien issue.	0.30 200.00/hr	60.00
	JBD Conference with SJR, re: Proposed resolution of issues with John Toma and payment through Estate.	0.50 200.00/hr	100.00
12/4/2014	JBD Email from Sarah Mullin, re: Coordination to finalize settlement.	0.10 200.00/hr	20.00
12/18/2014	JBD Receipt and review letter from John Toma, re: Demand to resolve attorney lien. Forward to SJR.	0.20 200.00/hr	40.00
12/19/2014	JBD Conference with SJR, re: Toma demand and attorney lien.	0.20 200.00/hr	40.00
1/10/2015	JBD Prepare Notice of Dismissal for State Court litigation.	0.20 200.00/hr	40.00

Stuart J. Radloff, Trustee

Page 11

		<u>Hrs/Rate</u>	<u>Amount</u>
1/10/2015	JBD Email to SJR, re: Recommendation to dismiss State Court litigation and status of negotiations with John Toma.	0.20 200.00/hr	40.00
1/23/2015	JBD Revise and file Notice of Dismissal of Maplewood state court litigation. Fax to John Toma and Phil Mackey.	0.20 200.00/hr	40.00
	JBD Email with John Toma, re: Negotiations to resolve attorney lien.	0.20 200.00/hr	40.00
2/2/2015	JBD Receipt and review letter from John Toma, re: Expenses incurred during representation.	0.20 200.00/hr	40.00
2/5/2015	JBD Conference with SJR, re: John Toma statements regarding expenses and resolve issue in bkrcy case.	0.20 200.00/hr	40.00
	JBD Email to John Toma, re: Accept offer to settle and explain requirement for Court approval.	0.20 200.00/hr	40.00
2/6/2015	JBD Prepare Motion to compromise with John Toma.	1.20 200.00/hr	240.00
	JBD Conference with SJR, re: Motion to compromise.	0.20 200.00/hr	40.00
	JBD Revise and edit Motion to Compromise with Trustee's comments. File.	0.30 200.00/hr	60.00
	MS Mail Motion to Compromise to creditors.	0.50 75.00/hr	37.50
3/2/2015	JBD Prepare proposed order granting Trustee's Motion to compromise John Toma's attorney lien. Email to John Toma and SJR for review.	0.50 200.00/hr	100.00
	JBD Attend Court hearing regarding Motion to compromise John Toma claim. Granted. Submit proposed order.	0.50 200.00/hr	100.00
3/6/2015	JBD Email from John Toma, re: Provisions in Order compromising interest in atty lien and paperwork needed to formally release lien. Submit order to Court.	0.20 200.00/hr	40.00
3/12/2015	JBD Telephone call from Phil Mackey, re: Confirm finality of State Court proceeding and details regarding settlement check.	0.20 200.00/hr	40.00
3/13/2015	JBD Receipt and review letter from Phil Mackey with \$20k settlement check.	0.10 200.00/hr	20.00
3/16/2015	JBD Conference with SJR, re: Settlement check and payment to John Toma.	0.10 200.00/hr	20.00

Stuart J. Radloff, Trustee

Page 12

	<u>Hrs/Rate</u>	<u>Amount</u>
4/15/2015 JBD Prepare Application for Fees and Expenses. Approval by SJR.	0.80 200.00/hr	160.00
4/16/2015 MS Mail Application for Fees and Expenses to creditors.	0.50 75.00/hr	37.50
<b>For professional services rendered</b>	<b>79.80</b>	<b>\$15,772.50</b>

Additional Charges :

	<u>Qty/Price</u>	
9/5/2012 Postage to mail Motion to compromise claim with City of Maplewood to creditors.	1 5.40	5.40
11/19/2013 Copying cost for 8th Circuit Appellee brief	1 81.24	81.24
11/20/2013 Postage to mail 8th Circuit Appellee brief to John Toma.	1 1.72	1.72
2/6/2015 Postage to mail Motion to Compromise with John Toma to creditors.	1 6.86	6.86
4/16/2015 Postage to mail Application for Fees to creditors.	1 6.86	6.86
<b>Total additional charges</b>		<b>\$102.08</b>
<b>Total amount of this bill</b>		<b>\$15,874.58</b>
<b>Balance due</b>		<b>\$15,874.58</b>

Term - 30 Net